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FAX NO. 516 775 4082

P. 02

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----x  
RICHARD C. TRIANO,  
Plaintiff,

07 CIV 6710 (CLE)

-against-

THE TOWN OF HARRISON and THE  
TOWN OF HARRISON POLICE DEPARTMENT,  
Defendants.

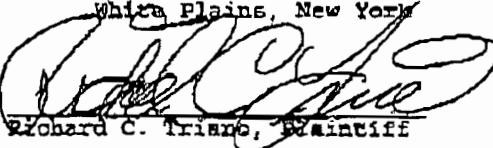
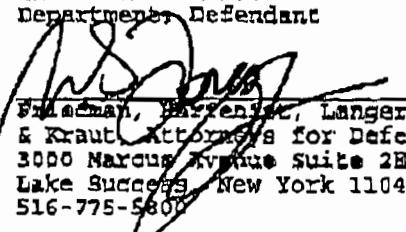
## DISCONTINUANCE OF ACTION

*I order*

Plaintiff by his attorney, THOMAS F. FANELLI, JR., Esq., duly admitted to practice in the Southern District of New York to practice law, respectfully states:

1. The Plaintiff hereby withdraws and discontinues the above caption action against the Defendants, without prejudice and without costs.

Dated December 12, 2007  
White Plains, New York

  
Richard C. Triano, Plaintiff  
Town of Harrison, Defendant  
Thomas F. Fanelli, Jr., Esq.  
Attorney for Plaintiff  
175 Main Street, Suite 314  
White Plains, New York 10601  
914-948-8700  
The Town of Harrison Police  
Department, Defendant  
Friedman, Harfenist, Langer  
& Kraut, Attorneys for Defendants  
3000 Marcus Avenue Suite 2B1  
Lake Success, New York 11042  
516-775-5600  
Charles Brizard  
UCDO

*No ordered: December 14, 2007*

**FRIEDMAN, HARFENIST, LANGER & KRAUT, LLP**

ATTORNEYS AT LAW

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OF COUNSEL:  
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WESTCHESTER COUNTY OFFICE:  
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 PURCHASE, NEW YORK 10577  
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December 12, 2007

U.S. District Court Judge Charles L. Brieant  
 United States District Court  
 Southern District of New York  
 300 Quarropas Street  
 White Plains, New York 10601

By: Facsimile Transmission

RE: Triano v. Town of Harrison et al  
 Docket No. 07 CV 6710 (CLB)

Dear Judge Brieant:

Reference is made to the above captioned matter. The Plaintiff in this matter is represented by Thomas F. Fanelli and the Defendants are represented by the firm of Friedman, Harfenist, Langer and Kraut. A copy of this letter is being simultaneously transmitted to counsel for the Plaintiffs.

As your honor is aware, the Defendants have filed a motion to dismiss that is currently returnable on December 14, 2007. As per my conversation with Lisa of your chambers earlier this afternoon, please be advised that the Plaintiff has indicated that he wishes to discontinue the action without prejudice. I have enclosed a copy of the stipulation prepared by the Plaintiff and executed by all parties with this correspondence. Additionally, as per the direction of the ECF office, I will email the stipulation to the Orders and Judgments Clerk as it cannot be directly filed by ECF to the docket sheet.

Thank you for your attention to this matter. If you have any questions or require additional information, please do not hesitate to contact me at the number listed above.

Sincerely,

FRIEDMAN, HARFENIST, LANGER &amp; KRAUT

By:

Neil Torczyner

Encl.

CC: Thomas Fanelli, Esq.